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Attorney Docket:HrdMgmtCIP

**IN THE UNITED STATES PATENT AND
TRADEMARK OFFICE**

In Re the Application of: Jack C. Whittier, Barbi A. Riggs, Patrick D. Burns and George Seidel

Serial Number: 09/879,480

Filed: June 12, 2001

For: Integrated Herd Management System Utilizing Isolated Populations
of X-Chromosome Bearing and Y-Chromosome Bearing
Spermatozoa

Assignee: Colorado State University through its agent Colorado State
University Research Foundation

DECLARATION FOR PATENT APPLICATION

This Declaration is made by Jack C. Whittier, Barbi A. Riggs, Patrick D. Burns, and George Seidel.

I, Jack C. Whittier, hereby declare:

- I am a citizen of the United States of America and that my residence and mailing address is 4880 E. County Road 64, Wellington, CO 80549.

I, Barbi A. Riggs, hereby declare:

- I am a citizen of the United States of America and that my residence and mailing address is 299 Big Valley, Outlook, MT 59252.

I, Patrick D. Burns, hereby declare:

- I am a citizen of the United States of America and that my residence and mailing address is 931 Kingston Drive, Fort Collins, CO 80525.

I, George Seidel, hereby declare:

- I am a citizen of the United States of America and that my residence and mailing

address is 3101 Arrowhead Road, LaPorte, CO 80535.

We, Jack C. Whittier, Barbi A. Riggs, Patrick D. Burns, and George Seidel, each hereby declare:

We believe that the named inventors:

- Jack C. Whittier, a citizen of the United States of America and whose residence and mailing address is 4880 E. County Road 64, Wellington, CO 80549;
- Barbi A. Riggs, a citizen of the United States of America and whose residence and mailing address is 299 Big Valley, Outlook, MT 59252;
- Patrick D. Burns, a citizen of the United States of America and whose residence and mailing address is 931 Kingston Drive, Fort Collins, CO 80525; and
- George Seidel, a citizen of the United States of America and whose residence and mailing address is 3101 Arrowhead Road, LaPorte, CO 80535;

are the original, first, and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled "Integrated Herd Management System Utilizing Isolated Populations of X-Chromosome Bearing and Y-Chromosome Bearing Spermatozoa" and:

- United States Application Number 09/001,394 originally entitled "Improved Sheath Fluids and Collection Systems for Sex-Specific Cytometer Sorting of Sperm" the specification of which was filed 31 December 1997;
- PCT Application Number PCT/US98/27909 originally entitled "Commercially Practical Sex-specific Insemination of Mammals" the specification of which was filed on 31 December 1998 and designating the United States of America, this PCT Application being filed while the Original US Application was pending;
- United States Application Number 09/582,809 originally entitled "Sex Specific Insemination of Mammals With Low Number of Sperm Cells" the specification of which was filed 30 June 2000;
- United States Application Number 09/511,959 originally entitled "Sex Specific Insemination of Mammals With Low Number of Sperm Cells" the specification of which was filed 23 February 2000;
- United States Application Number 09/015,454 originally entitled "System for Improving Yield of Sexed Embryos in Mammals" the specification of which was filed 29 January 1998 ;

- United States Application Number 09/448,643 originally entitled "Multiple Sexed Embryo Production System for Mammals" the specification of which was filed 24 November 1999;
- United States Application Number 60/094,720 originally entitled "System for Low Dose Insemination of Equines" the specification of which was filed as filed 30 July 1998;
- United States Application Number 60/113,143 originally entitled "Equine Insemination System" the specification of which was filed 18 December 1998;
- PCT Application Number PCT/US99/17165 originally entitled "Equine System for Non-Surgical Artificial Insemination" the specification of which was filed on 28 July 1999 and designating the United States of America, this PCT Application being filed while the Original US Application was pending.

the specification(s) of which has/have been provided to me/us at or prior to the time of signing this declaration, and of which we hereby claim the benefit of and priority pursuant to 35 U.S.C. §§119, 120, or 365; there are no foreign applications having a filing date before that of the application(s) on which priority is claimed.

We hereby declare that the above specification(s) is/are intended to include disclosure or claims directed to, individually or in combination: embodiments of the invention which may encompass a device, apparatus, method, process, or business method; embodiments of the invention which may encompass permutations or combinations of any aspects of the invention; any aspect of the invention conceived or developed as separate inventions; and any aspect of the invention independent of any initial context considered as preferred embodiments. We also authorize and support this application for patent protection in the United States, and for similar protection in foreign countries, each to be sought to the extent or breadth any owner desires or deems appropriate.

We hereby state that we have reviewed and understand the contents of the specification entitled "Integrated Herd Management System Utilizing Isolated Populations of X-Chromosome Bearing and Y-Chromosome Bearing Spermatozoa", including any claims.

We acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56(a).

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date: 18 July 2001

Jack C. Whittier

Jack C. Whittier

UNITED STATES OF AMERICA)
STATE OF COLORADO)
COUNTY OF LARIMER)

SUBSCRIBED AND AFFIRMED OR SWORN to before me in the County of Larimer, State of Colorado,
United States of America, by Jack C. Whittier this 18 day of July in the year 2001.

WITNESS my hand and official seal pursuant to the authority vested in me as a Notary Public by the State of
Colorado.



My Commission Expires 07/15/2003

Shannon M. Nation-Kammerer

Notary Public
My Commission Expires: 7-15-2003

Date: 8/70

Barbi A. Riggs
Barbi A. Riggs

UNITED STATES OF AMERICA)
STATE OF MONTANA)
COUNTY OF SHERIDAN)

SUBSCRIBED AND AFFIRMED OR SWORN to before me in the County of Sheridan, State of Montana,
United States of America, by Barbi A. Riggs this 1 day of August in the year 2001.

WITNESS my hand and official seal pursuant to the authority vested in me as a Notary Public by the State of
Montana.

Barbi A. Riggs
Notary Public for the State of Montana

Residing at: Butte, MT

My Commission Expires: July 11, 2002

Date: 7/18/01

Patrick D. Burns
Patrick D. Burns

UNITED STATES OF AMERICA)
STATE OF COLORADO)
COUNTY OF LARIMER)

SUBSCRIBED AND AFFIRMED OR SWORN to before me in the County of Larimer, State of Colorado,
United States of America, by Patrick D. Burns this 18 day of July in the year 2001.

WITNESS my hand and official seal pursuant to the authority vested in me as a Notary Public by the State of
Colorado.



My Commission Expires 07/15/2003

Shannon M. Nation-Kammerer
Notary Public
My Commission Expires: 7-15-2003

Date: July 16, 2001

George Seidel

George Seidel

UNITED STATES OF AMERICA)
STATE OF COLORADO)
COUNTY OF LARIMER)

SUBSCRIBED AND AFFIRMED OR SWORN to before me in the County of Larimer, State of Colorado,
United States of America, by George Seidel this 18 day of July in the year 2001.

WITNESS my hand and official seal pursuant to the authority vested in me as a Notary Public by the State of
Colorado.



My Commission Expires 07/15/2003

Shannon M. Nation-Kammerer

Notary Public

My Commission Expires: 7-15-2005